From: Al Andres
To: Microsoft ATR
Date: 12/6/01 5:10pm
Subject: Microsoft Settlement.

[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

Dear Asst. Attorney General:
Please see the attached string of e-mails to get support from Microsoft for
removal the backup and restore functionality in WIN2K and WINXP that was
available in WIN95, WIN98, WIN98SE, and WINME. This type of response to
customers, and stating that "This behavior is by design.". This design plan
therefore restricts uses of older Microsoft solutions from continuing to be
able to continue to do business who upgrade from one Windows operating
system to another. I object to this type of business conduct, and believe
it to be inappropriate, if not illegal. See this Microsoft website's answer
to this issue: Article ID: Q205588 from
http://www.microsoft.com/windows2000/support/search/default.asp

Thank you for your consideration of this information.

Allan A. Andres
120 Wilmont Circle
East Fallowfield, PA 19320-4274
610 466-9651 RES
610 466-7968 FAX
email: aaandres@ yahoo.com

----- Original Message -----
From: "Al Andres" <aaandres@yahoo.com>
To: "Microsoft Standard Email Support" <msupport@microsoft.com>
Sent: Monday, December 03, 2001 9:04 AM
Subject: Re: Re: Windows Update Support Request

> As you know, I own a registered copy of both WIN98SE, and WIN2K. One
would
> expect backward compatability on a backup program from either of these two
> operating systems. I believe all of those who migrate to XP will also
share
> this same frustration, as there is no indication that I know of that tells
> you that if you have used MSBackup to make a copy of your data in the QIC
> format, that once you upgrade to WIN2K you won't be able to restore any of
> those files.
>
> If I can't get an answer to this problem, I plan to call the Department of
> Justice, Anti-trust Division, and see what they have to say about this
> situation. I may also see about filing a class action lawsuit on behalf
of
> so many of us that are in the same situation, both WIN2K and WINXP
customers
> who previously owned WIN95, WIN98, or WINME, and whoever did a backup with
> those versions.
>
> A response is expected to the question that has been asked now for 2
months
> without any reasonable response other than to contact the OEM vendor from
> whom I bought this computer. It is not their problem, it is a MICROSOFT
> problem that needs resolution.
>
> See below on audit trail of this issue:
>
> Hello Allan,
>
> Thank you for contacting Microsoft.
>
> I apologize for the inconvenience this has caused Allan. Since you have
> indicated you have been unable to access your case online, I have pasted
> the entire case history below for you review:
>
> ==
> =
>

```
>
>
> -------
> Allan Andres
> Phone: 6104669651
> Fax: 610 466-7968
> Email: aaandres@yahoo.com
>
> Community: PROVAP
> Respond to me by: EMail
>
> System
> ---------
> 261616 kbytes RAM
> I586II ~1330 MHz MHz
> WINNT 5.0.2195
>
>
> Problem
> --------
> Having problem with Office Prem 2000 for Win 2000.
> C Important - Severity C
> ============================================================
>
>
> PID: 50637-757-0689417-02704
>
> Before buying a NEW system with WIN2K, I did a full backup using
> MSBackup on my old system (WIN98SE).  The file was saved as a QIC file.
> Now under WIN2K I can't open this to restore data, mail files under
> Outlook Explore,and document files, as QIC is not supported in MSBackup
> under WIN2K Professional.  How do I restore files from my WIN98SE
> MSBackup QIC files created under WIN2K Backup?
>
>
> *********
> Good Afternoon Allan,
>
> Thank you for using Microsoft Web Support.
>
> The Support Professional assigned to your case has determined that your
> issue pertains to Microsoft Windows 2000, and that you would be best
> assisted by a Support Professional who specializes in that area.
>
> Please assist us in processing your request by providing the Product
> Identification Number for your Windows 2000. To locate this number:
>
> 1. Click Start, point to Settings and then click Control Panel.
> 2. Double-click the System icon to open System Properties.
> 3. Click the General tab to find the 20-digit number under the
> "Registered to" line.
>
> Once we have this number, we will be able to provide you with the
> support options available for your copy of Windows 2000.
>
> To add this information, please create a supplement to your case.
>
> Thank you,
>
> Charity
> Microsoft Online Customer Representative
>
>
>
> *** RESEARCH LOG esrintf 09/27/01 02:17:15 PM
> 51873 OEM 0003461 35834
> The files are Word, Excel, Powerpoint, etc files that I need to extract
```

> from the QIC files. If you try to tell me to go to the OEM provider of
> the system, I disagree with that assumption. This is a WIN2K issue no
> matter where the WIN2K software comes from. This is a SYSTEMS problem
> in my opinion, and I expect an answer on this, or a vendor to contact
> that can solve this matter.
>
>
>
> *** Log # 3
> *** Log # 4
>
> *** EMAIL OUT 01-Oct-2001 01:57:29 Pacific Daylight Time
> K2519415 10/1 cu says...
> I have updated this incident with the data requested. Please provide an
> answer.
> Thank you.
>
>
> *** Log # 5
>
> *** PHONE LOG 01-Oct-2001 01:57:41 Pacific Daylight Time
> Hello Al,
>
> Thank you for contacting Microsoft.
>
> For your convenience, we have forwarded this e-mail to your Support
> Professional.
>
> In the future, you may submit updates to your SRZ cases directly.
>
> 1. Go to http://support.microsoft.com/support/webresponse_nc.asp and
> select the type of support you used to submit this issue.
>
> 2. Highlight your case in the list. At the bottom of the page, click
> Create Supplement.
>
> 3. If you are unable to access your case from this link, please send
> e-mail to wrhelp@microsoft.com, and we will add your supplement and/or
> send you a copy of your Support Professional's last log entry.
>
> If you have any additional questions, please let us know by replying to
> this message.
>
> Thank you,
>
> Ronald
> Microsoft Online Customer Representative
>
>
> *** RESEARCH LOG esrintf 10/01/01 02:59:22 AM
> So what is the solution. The latest response is just another "no
> response".
>
>
>
> *** Log # 6
> *** Log # 7
>
> *** PHONE LOG 23-Oct-2001 09:15:50 Central Daylight Time
> Good Morning Allan,
>
> Thank you for using Microsoft Web Support.
>
> We appreciate the additional information you have provided and apologize
> for the delay in response.
>
> We appreciate that you have taken the time to let us know your feelings

> about the "OEM" support options. We consider customer feedback an
> opportunity to improve our business. We have forwarded your comments to
> the appropriate department.
>
> However, the fact still remains that this is not a retail version of
> Windows and is an "OEM" version.
>
> Since the letters "OEM" appear in the Product ID number, your copy of
> Windows 2000 was purchased under an Original Equipment Manufacturer
> (OEM) license agreement. Under this agreement, the manufacturer of your
> computer holds the rights to your "out of package" warranty, which
> includes offering industry standard support for all hardware and
> software included in the purchase. OEM software typically comes
> preinstalled on the computer.
>
> Microsoft does offer support in a secondary capacity. I have included
> those support options below for your convenience, as well as a list of
> manufacturer's phone numbers and links to support sites.
>
> Manufacturer's phone numbers and sites:
> http://support.microsoft.com/directory/worldwide/en-us/oemdirectory.asp
>
> Web-based technical support from Microsoft is available at
> http://www.microsoft.com/support/
>
> If you are unable to resolve your issue using our online self-help
> services, in order to receive assisted support, you will need to create
> a new case.
>
> You may submit your technical support issue by going to
> http://support.microsoft.com/support/webresponse.asp and clicking
> "Submit a Question Using Pay Per Incident (PPI) Support".
>
> If you would prefer to work with one of our Support Professionals by
> telephone, they are available to assist you at 800-936-5700.
>
> If you have any further questions concerning your issue, please create a
> supplement to your case.
>
> Thank you,
>
> Charity
> Microsoft Online Customer Representative
>
>
> *** CASE CLOSE 23-Oct-2001 09:16:11 Central Daylight
>
> *** CASE REOPEN 27-Oct-2001 10:31:11 Central Daylight
> *** Log # 8
>
> *** PHONE LOG 27-Oct-2001 10:34:35 Central Daylight Time
> Reply-To: "Al Andres" <aaandres@yahoo.com>
> From: "Al Andres" <aaandres@yahoo.com>
> To: <wradmin@microsoft.com>,<wrhelp@microsoft.com>
> Subject: Re: SRZ010924000209
> Date: Thu, 25 Oct 2001 12:35:32 -0400
>
> I am still trying to get a response to this matter. Would you please
> let me
> know how to solve this problem.
> Thank you.
>
> ***************************Kana2599275********************************
> **
>
> *** Log # 9
>

> *** PHONE LOG 27-Oct-2001 10:49:56 Central Daylight Time a_cwhite Action
> Type:Incoming call
> Good Morning Allen,
>
> Thank you for again contacting Microsoft.
>
> According to the information you have provided, your Microsoft products
> were included with your system.
>
> If this is correct, your copy of Microsoft software was purchased under
> an Original Equipment Manufacturer (OEM) license agreement. Under this
> agreement you are using a version of software that was designed to be
> sold with a new PC and has been licensed to your hardware manufacturer.
>
>
> When the OEM elected to include this product on their machines they also
> agreed to provide the primary product support for the Microsoft
> software. When an OEM decides to preinstall software (Microsoft and
> most other software brands) on a computer, the OEM makes a licensing
> agreement for the right to distribute software on their computers. Once
> the OEM purchases the licensing rights to the software, the majority of
> the rights of the software are put under the control of the OEM.
>
> This is noted in the End User License Agreement found within your
> software. Since we are not always able to notify every user directly
> when changes occur, we publish major changes on our Online Support Web
> sites. Please visit:
>
> http://support.microsoft.com/directory/OfficeXP_Q&A_USAFinal.asp for
> more information about Microsoft's new support policies.
>
> Available from the Microsoft support web site are several self-help
> options, including our Knowledgebase, Troubleshooting Wizards and
> Peer-to-Peer Newsgroups. Our Knowledgebase contains over 90,000
> articles written by our engineers, for end users. Your fellow users may
> have a few suggestions if you post your issue to our Peer-to-Peer
> Newsgroups.
>
> Our engineers are available 24 hours a day, 7 days a week for most
> products through our Pay Per Incident Service. To submit an incident to
> our engineers via the web, please visit:
>
> http://support.microsoft.com/support/webresponse.asp
>
> Once there select 'Pay Per Incident Support'. If you would prefer to
> speak to one of our engineers over the phone, they are available to
> assist you at 800-936-5700.
>
> I apologize for any inconvenience you have experienced while trying to
> resolve your Outlook Express problem. Microsoft will be more than happy
> to help you resolve your technical issue, within the boundaries of our
> support guidelines.
>
> In our previous emails, we have provided you with information on how to
> submit a Pay-Per-Incident support request via phone or Web Response. We
> have also included information on how to contact your OEM vendor, as
> well as information on our self-help informational services. I would
> invite you to utilize any of these options.
>
> By utilizing any of the options submitted to you for obtaining support
> on this issue, you may assure a more positive experience in the future.
> I
>
> I wish you the best of luck in resolving your issue. However, as the
> primary point of contact for support is the OEM vendor, and not through
> Microsoft, we have offered options under the parameters of support as it
> currently stands on your case number SRZ010924000209.

>
> I will be happy to forward your comments and suggestions to the
> appropriate group.
>
> If you have any other questions about your case, please let us know.
>
> Thank you,
>
> C. Loretta White
> Microsoft Online Customer Support
> Thank you.
>
> *** CASE CLOSE 27-Oct-2001 10:50:55 Central Daylight Time
>
> ==
> =
>
> If you have any additional questions, please let us know by replying to
> this message. Please include your original message in your reply so that
> all the necessary information is readily available to us.
>
> Thank you,
>
> Paul
> Microsoft Online Customer Representative
>
>
> ----------------------
>
> From: aaandres@yahoo.com
> Received: 11/5/01 8:22 AM
> To: Web Response Help
> Subject: Fw: SRZ010924000209
>
>
>
>
>
> Original Message Follows:
> ------------------------
>
> WHY CAN'T I GET A RESPONSE TO THIS ISSUE?
>
>
> ----- Original Message -----
> From: "Al Andres" <aaandres@yahoo.com>
> To: <wradmin@microsoft.com>; <wrhelp@microsoft.com>
> Sent: Thursday, October 25, 2001 11:35 AM
> Subject: Re: SRZ010924000209
>
>
> > I am still trying to get a response to this matter. Would you please
> let
> me
> > know how to solve this problem.
> > Thank you.
> > ----- Original Message -----
> > From: <wradmin@microsoft.com>
> > To: <aaandres@yahoo.com>
> > Sent: Monday, October 01, 2001 5:00 AM
> > Subject: SRZ010924000209
> >
> >
> > > Incident: SRZ010924000209
> > > There has been activity on the incident that you submitted. Please
> go to
> > > Online Assisted Support

```
> > >
>
> (https://webresponse.one.microsoft.com/wrscripts/wr.asp?SR=SRZ0109240002
> 09
> > > ) to check on the activity at your earliest convenience.
> > > THIS MAILBOX IS NOT MONITORED -- For further assistance, email
> > > wrhelp@microsoft.com
> > >
> >
>
>
>
> _____
>
> Do You Yahoo!?
>
> Get your free @yahoo.com address at http://mail.yahoo.com
>
>
>
>
>
>
>
>
> ----- Original Message -----
> From: "Microsoft Standard Email Support" <msupport@microsoft.com>
> To: "Al Andres" <aaandres@yahoo.com>
> Sent: Sunday, December 02, 2001 1:53 PM
> Subject: Re: Re: Windows Update Support Request
>
>
> Hello Allan,
>
> Thank you for using Microsoft Web Support.
>
> Allan, I understand that you would like to know if you can extract the
> MSBACKUP program from your WIN98SE CD to your WIN2K machine to restore
> QIC files created prior to upgrading to WIN2K.
>
> I would like to inform you that the warranty support for Windows Update
> site is limited to site navigation and downloads only. Since your issue
> doesn't involve any of this, the best option would be to work with your
> computer manufacturer directly. You may also consider using Microsoft's
> no-charge information services or submitting a Pay-Per-Incident support
> request to work with a Microsoft Support Professional. Allan, please
> note that the support is tied to the operating system and since you are
> an OEM customer, your first point of contact would be your OEM.
>
> I apologize for any inconveniences this issue may be causing you and
> understand that it is frustrating.
>
> If you have any additional questions, please let us know by replying to
> this message.
>
> Thank you,
>
> Vivek
> Microsoft Online Customer Representative
>
>
>
> Original Message Follows:
> ------------------------
> It's a pretty simple question, and it's a MICROSOFT issue, as you have
> created the loss of backward compatibility.
> Can you answer the question:  Can I extract the MSBACKUP program from my
```

> WIN98SE CD to my WIN2K machine to restore QIC files created prior to
> upgrading to WIN2K.
>
>
> ----- Original Message -----
> From: "Microsoft Standard Email Support" <msupport@microsoft.com>
> To: "Al Andres" <aaandres@yahoo.com>
> Sent: Thursday, November 29, 2001 4:19 PM
> Subject: Re: Windows Update Support Request
>
>
> Hello Allan,
>
> Thank you for using Microsoft Web Support.
>
> I apologize for the inconvenience caused. Please allow me to kindly
> offer my fullest attention towards your concerns.
>
> I understand you would like assistance with Windows 2000. For assistance
> with this, the best option would be to work with your computer
> manufacturer directly. You may also consider using Microsoft's no-charge
> information services or submitting a Pay-Per-Incident support request to
> work with a Microsoft Support Professional. Allan, please note that the
> support is tied to the operating system and since you are an OEM
> customer, your first point of contact would be your OEM.
>
> The letters "OEM" appear in the Product ID number, which indicates your
> copy of Windows 2000 was purchased under an Original Equipment
> Manufacturer (OEM) license agreement. Under this agreement, the
> manufacturer of the computer holds the rights to your "out of package"
> warranty, which includes offering industry standard support for all
> hardware and software included in the purchase. OEM software typically
> comes preinstalled on the computer.
>
> Allan, Microsoft also has support options available to you. I have
> included those support options below for your convenience as well as a
> list of manufacturer's phone numbers and links to support sites.
>
> To locate the listing of manufacturer phone numbers and Web sites, go to
> http://support.microsoft.com/directory/worldwide/en-us/oemdirectory.asp
>
> Web-based technical support from Microsoft is available at
> http://www.microsoft.com/support/
>
> If you are unable to resolve your issue using our online self-help
> services, you may submit your technical support issue through Online
> Assisted Support. For more information, go to
> http://support.microsoft.com/directory/question.asp
>
> Allan, If you would prefer to work with one of our Support Professionals
> by telephone, they are available to assist you at 800-936-5700.
> Pay-Per-Incident support for consumer products is available at a rate of
> $35 per incident.
>
> Thank you,
>
> Sowmya
> Microsoft Online Customer Representative
>
>
>
> Original Message Follows:
> -------------------------
> ****** Contact Information ******
> First name: Allan
> Last name: Andres
> Email Name: aaandres@yahoo.com

```
> Phone: 610-466-9651
> Fax:
> Time zone: Eastern
> Submit Date/Time: Wednesday, November 28, 2001 at 09:45 AM Pacific Time
> ****** System Configuration ******
> Internet Browser: Internet Explorer 6.0
> Operating System: Windows 2000 Professional
> Computer Make: MicroFlex
> Computer Model:
> CPU Speed:
> Memory (Mb of RAM):
> ****** Detailed Information ******
> Issue Type: Other
> Component Name:
> URL:
> Error Type: Other
> Question Title: Restoring a QIC file on WIN2K
> Detailed Problem Description :
> I need to know if I can extract the MSBACKUP program from my WIN98SE CD
> to my WIN2K machine to restore QIC files created prior to upgrading to
> WIN2K.
> ******  Other Information  ******
> Internet Service Provider: Comcast
> Method of Connection: Local Area Network (LAN)
> Windows PID: 51873-OEM-0003461-35834
> ..
>
>
>
>
> _____
>
> Do You Yahoo!?
>
> Get your free @yahoo.com address at http://mail.yahoo.com
>
>
>
>
```